



PATENT APPLICATION

*Smayle B*  
*SH*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): John E. Sims, Dirk E. Smith and Teresa L. Born

Serial No.: 09/876,790 ✓

Group Art Unit No.: 1647

Filed: June 6, 2001

Examiner: Fozia M. Hamud

IL-1 ZETA, IL-1 ZETA SPLICE VARIANTS AND XREC2 DNAS AND  
For: POLYPEPTIDES

Docket No.: 2008-US

**INFORMATION DISCLOSURE STATEMENT**  
**AFTER MAILING DATE OF FINAL ACTION OR NOTICE OF ALLOWANCE**  
**BUT BEFORE PAYMENT OF ISSUE FEE (37 CFR 1.97(d))**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is being filed after a final action under § 1.113 or a notice of allowance under § 1.311, whichever occurred first, but before, or simultaneously with the payment of the issue fee.

**STATEMENT, PETITION AND FEE**

In accordance with the requirements of 37 CFR 1.97(d):

A. Accompanying this transmittal is a statement as specified in 37 CFR 1.97(e):

**STATEMENT**

I, the person(s) signing below state:

- ☒ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 CFR 1.97(e)(2).

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

*April 13 2004*  
Date

*Elizabeth M. McCarthy*  
Elizabeth M. McCarthy

04/16/2004 55ESHE1 00000039 090089 09876790  
01 FC:1460 130.00 DA

B. Applicant hereby petitions for the consideration of the accompanying information disclosure statement. 37 CFR 1.97(d)(2).

C. Applicant submits the petition fee set forth in § 1.17(i). (\$130.00).

Copies of the cited references are enclosed.

Please charge Deposit Account No. 09-0089 in the name of Immunex Corporation in the amount of \$130.00 (37 CFR 1.17(i)). The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 09-0089. An original and one copy are enclosed.

Respectfully submitted,



Patricia Anne Perkins  
Agent for Applicants  
Registration No.: 34,693  
Phone: (206) 265-7782  
Date: April 13, 2004

Please send all future correspondence to:

Immunex Corporation/PAP  
Law Department  
1201 Amgen Court West  
Seattle, Washington 98119-3105  
(206) 265-7000

Modified Form PTO-1449

Atty. Docket No. 2008-US

Serial No. 09/876,790

**LIST OF REFERENCES CITED BY APPLICANT**

Applicant John E. Sims et al.

Filing Date June 6, 2001

Group 1647

(Use several sheets if necessary)

**U.S. PATENT DOCUMENTS**

EXAMINER'S INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
	A1	6,117,654	9/12/00	Pan			
	A2	6,680,380	1/20/04	Timans			
	A3						
	A4						
	A5						
	A6						
	A7						
	A8						
	A9						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
							YES	NO
	B1							
	B2							
	B3							
	B4							
	B5							

**OTHER DOCUMENTS (Including Publisher, Author, Title, Date, Pertinent Pages, Etc.)**

	C1	
	C2	
	C3	
	C4	
	C5	
	C6	

EXAMINER:

Date Considered:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.